

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairperson Pat Colloton at 1:30 p.m. on March 4, 2009, in Room 535-N of the Capitol.

All members were present except:
Nile Dillmore-Excused

Committee staff present:
Sean Ostrow, Office of the Revisor of Statutes
Jason Thompson, Office of the Revisor of Statutes
Jill Wolters, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Jackie Lunn, Committee Assistant

Conferees appearing before the Committee:

Others attending:
See attached list.

HB 2332 - Recodification of certain drug crimes; quantities of drugs; proportionality of sentencing.

Chairperson Colloton briefed the Committee on next week's agenda and opened the continued action on **HB 2332** by calling on Representative Brookens to explain his amendment (Attachment 1).

Representative Brookens explained his 1st amendment to add "within 450 feet of any school property" after the word "minor" to Page 8, Line 33; Page 13, Lines 17 and 21; Page 16, Line 1 and made a motion to move his amendment on HB 2332. Representative Spalding seconded.

A discussion followed.

Representative Brookens explained his 2nd amendment (Attachment 2) and made a motion to move the amendment. Representative Roth seconded.

A lengthy discussion followed

Chairperson Colloton called for a vote on the motion on the floor to move the amendment adding on Page 9, Line 9 (f) "In any prosecution under this section involving the intent to distribute in the presence of a minor, there shall be a rebuttal presumption that a child within 150 feet of the illegal activity is in close proximity". Motion carried with 1 no "vote".

Chairperson Colloton called on Representative Lance Kinzer to continue explaining his amendments on **HB 2332**. Representative Kinzer referred the Committee to written copy of his amendments. (Attachment 1)

He explained an amendment on Page 45 Line 25, adding "third or" in front of the word "fourth" and changing "(iii)" to "(ii)" on line 29.

Representative Kinzer moved his amendment on Page 45. Representative Brookens seconded. Motion carried.

Representative Kinzer continued with an amendment on page 6, Line 12. He explained the changes stating he was adding the definition of "school property".

Representative Kinzer moved the amendment. Representative Patton seconded.

A lengthy discussion followed with the concerns of the Committee regarding this amendment.

Chairperson Colloton called on Representative Kinzer and he moved the amendment for a vote. Motion

CONTINUATION SHEET

Minutes of the House Corrections And Juvenile Justice Committee at 1:30 p.m. on March 4, 2009, in Room 535-N of the Capitol.

carried.

Chairperson Collation announced they would continue tomorrow and adjourned the meeting at 2:30 p.m. with the next meeting scheduled March 5, 2009 at 1:30 p.m. in room 535 N.